Express Mail Number:    EV318425026US
Date Deposited:    08/06/2003

APPROVED

# UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

| | |
|---|---|
| *Attorney Docket No.* | 8403.958 |
| *First Inventor* | Antonio V. Alcazar, et al. |
| *Title* | THERMOPLASTIC FLOWER POT WITH A THIN SKIRT |
| *Express Mail Label No.* | EV318425026US |

10/635297

## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents.*

**ADDRESS TO:** Mail Stop Patent Appl.,Comm.for Patents PO Box 1450 Alexandria, VA 22313-1450

1. [X] Fee Transmittal Form (e.g., PTO/SB/17)
*(Submit an original and a duplicate for fee processing)*

2. [ ] Applicant claims small entity status. See 37 CFR 1.27.

3. [X] Specification [Total Pages 83]
*(preferred arrangement set forth below)*
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings *(if filed)*
- Detailed Description    -Redline Specification ____ pgs
- Claim(s)    -Clean Specification ____ pgs
- Abstract of the Disclosure

4. [X] Drawing(s) (35 U.S.C. 113) [Total Sheets 11]

5. Oath or Declaration [Total Pages 4]
   a. [ ] Newly executed (original or copy)
   b. [X] Copy from a prior application (37 CFR 1.63 (d)) *(for continuation/divisional with Box 18 completed)*
   i. [ ] **DELETION OF INVENTOR(S)**
   Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. [ ] Application Data Sheet. See 37 CFR 1.76

7. [ ] CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)

8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
   a. [ ] Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. [ ] CD-ROM or CD-R (2 copies); or
      ii. [ ] paper
   c. [ ] Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

9. [ ] Assignment Papers (cover sheet & document(s))
10. [ ] 37 CFR 3.73(b) Statement *(when there is an assignee)*  [ ] Power of Attorney *See Below
11. [ ] English Translation Document *(if applicable)*
12. [ ] Information Disclosure Statement (IDS)/PTO-1449  [ ] Copies of IDS Citations
13. [ ] Preliminary Amendment
14. [X] Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. [ ] Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. [ ] Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. [X] Other: See Below

18. This application is:

[X] Continuation  [ ] Divisional  [ ] Continuation-in-part (CIP)  of prior application No.: 10/247,257

*Prior application information:*  Examiner Elizabeth Shaw  Group Art Unit: 3644

[ ] As a CON, DIV, or CIP, this application contains one or more changes to (1) the specification; (2) drawings; or (3) claims in the above-identified prior application. A red-line version of the application showing these changes will be made available to the examiner upon request.

## 19. CORRESPONDENCE ADDRESS

[X] Customer Number or Bar Code Label    30589 *(Insert Customer No. or Attach bar code label here)*    or  [ ] Correspondence address below

| Name | Dunlap, Codding & Rogers, P.C. | | | |
|---|---|---|---|---|
| Address | P. O. Box 16370 | | | |
| | Marc A. Brockhaus | | | |
| City | Oklahoma City | State | OK | Zip Code 73113 |
| Country | USA | Telephone | (405) 607-8600 | Fax (405) 607-8686 |

| | | | |
|---|---|---|---|
| Name (Print/Type) | Marc A. Brockhaus | Registration No. (Attorney/Agent) | 40,923 |
| Signature | *Marc Brockhaus* | Date | 8-6-2003 |

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P.O. Box 1450
Alexandria, VA 22313-1450

17) 1. Utility Patent Application Transmittal (1 page); 2. Fee Transmittal (1 page) Authorizing the Commissioner to charge indicated fees of **$2,328.00** (for Utility Filing Fee $.750.00, $1,578.00 for 83 extra claims) or any additional fee required under 37 C.F.R. 1.16 and 1.17 and/or credit any overpayments to Deposit Account Name Dunlap, Codding & Rogers, P.C. 3. Patent Application Fee Determination Record (1 page) 4. Complete Application for Publication ( 83 pages)(Continuation of USSN 10/247,257 filed 09/16/2002 including: (A) Specification (58 pages); (B) 103 Claims (24 pages);(C) Abstract (1 page); (D) 4 pages of Combined Declaration and Power of Attorney (from prior application); and (E) 11 sheets of formal drawings with labels identifying indicia (37 CFR 1.84((c);5. Return receipt postcard

*The Assignment for this case is the same as recorded in the prior application at Reel 7795, frame 0753 as well as the Power of Attorney and 37 CFR 3.73(b) Statement.

PTO/SB/17 (10-02)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL
## for FY 2003
*Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27

| TOTAL AMOUNT OF PAYMENT | ($) 2,328 |
|---|---|

### Complete if Known

| | |
|---|---|
| Application Number | Not Yet Assigned |
| Filing Date | Herewith |
| First Named Inventor | Antonio V. Alcazar, et al. |
| Examiner Name | E. Shaw |
| Art Unit | 3644 |
| Attorney Docket No. | 8403.958 |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1700

Deposit Account Name: Dunlap, Codding & Rogers, P.C.
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below   ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, **except for the filing fee**
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Fee ($) | Small Entity Fee Code | Fee ($) | Fee Description | Fee Paid |
|---|---|---|---|---|---|
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

**SUBTOTAL (1)** ($) 750

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | | Fee from below | Fee Paid |
|---|---|---|---|---|
| Total Claims | 103 - ** = 83 | x | 18 | =$1,494 |
| Independent Claims | 4 - ** = 1 | x | 84 | =$84 |
| Multiple Dependent | | | | =$0 |

| Large Entity Fee Code | Fee ($) | Small Entity Fee Code | Fee ($) | Fee Description |
|---|---|---|---|---|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** ($) 1,578

*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Fee ($) | Small Entity Fee Code | Fee ($) | Fee Description | Fee Paid |
|---|---|---|---|---|---|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for *ex parte* reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid    **SUBTOTAL (3)** ($) 0

## SUBMITTED BY

| | | (Complete *if applicable*) | |
|---|---|---|---|
| Name (Print/Type) | Marc A. Brockhaus | Registration No. (Attorney/Agent) 40,923 | Telephone (405) 607-8600 |
| Signature | Marc Brockhaus | Date | 08/06/2003 |

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PO Box 1450, Alexandria, VA 22313-1450

Express Mail No.: EV318425026US
Date Deposited: 08/06/2003

PTO/SB/06 (08-00)
Approved for use through 10/31/2002. OMB 0651-0032
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## PATENT APPLICATION FEE DETERMINATION RECORD

| Application or Docket Number |
|---|
| 8403.958 |

### CLAIMS AS FILED - PART I

| FOR | NUMBER FILED (Column 1) | | NUMBER EXTRA (Column 2) | SMALL ENTITY RATE | FEE | OR | OTHER THAN SMALL ENTITY RATE | FEE |
|---|---|---|---|---|---|---|---|---|
| BASIC FEE (37 CFR 1.16(a)) | | | | | $ 0 | OR | | $ 750 |
| TOTAL CLAIMS (37 CFR 1.16(c)) | 103 | minus 20 = | * 83 | x $ 9 = | 0 | OR | x $ 18 = | 1494 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 4 | minus 3 = | * 1 | x 42 = | 0 | OR | x 84 = | 84 |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | | | + 140 = | 0 | OR | + 280 = | 0 |
| * If the difference in column 1 is less then zero, enter "0" in column 2 | | | | TOTAL | 0 | OR | TOTAL | 2328 |

### CLAIMS AS AMENDED - PART II

**AMENDMENT A**

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE | ADDI-TIONAL FEE | OR | OTHER THAN SMALL ENTITY RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * | Minus | ** 20 | = 0 | x $ 9 = | 0 | OR | x $ 18 = | 0 |
| Independent (37 CFR 1.16(b)) | * | Minus | *** 3 | = 0 | x 42 = | 0 | OR | x 84 = | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + 140 = | 0 | OR | + 280 = | 0 |
| | | | | | TOTAL ADDIT. FEE | 0 | OR | TOTAL ADDIT. FEE | 0 |

**AMENDMENT B**

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | RATE | ADDI-TIONAL FEE | OR | RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * | Minus | ** | = | x $ 9 = | 0 | OR | x $ 18 = | 0 |
| Independent (37 CFR 1.16(b)) | * | Minus | *** | = | x 42 = | 0 | OR | x 84 = | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + 140 = | 0 | OR | + 280 = | 0 |
| | | | | | TOTAL ADDIT. FEE | 0 | OR | TOTAL ADDIT. FEE | 0 |

**AMENDMENT C**

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | RATE | ADDI-TIONAL FEE | OR | RATE | ADDI-TIONAL FEE |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(c)) | * | Minus | ** | = | x $ 9 = | 0 | OR | x $ 18 = | 0 |
| Independent (37 CFR 1.16(b)) | * | Minus | *** | = | x 42 = | 0 | OR | x 84 = | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | + 140 = | 0 | OR | + 280 = | 0 |
| | | | | | TOTAL ADDIT. FEE | 0 | OR | TOTAL ADDIT. FEE | 0 |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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Alexandria, VA 22313-1450